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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 002160

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TAGS: [PREL](#) [PGOV](#) [EAD](#) [CMGT](#) [EUN](#)

SUBJECT: WORK CONTINUES ON THE EU'S PROPOSED "EXTERNAL ACTION SERVICE"

REF: A. USEU BRUSSELS 2059

[1](#)B. USEU BRUSSELS 1583

Classified By: Rick Holtzapple, PolOff, Reasons 1.4 (B/D)

#### SUMMARY

[1](#)1. (C) While French and Dutch rejection of the EU Constitution has likely killed that document, one of the first ideas contained within it that may be implemented via other means is creation of an EU Foreign Minister supported by a European External Action Service. This may still be years away, but preparatory work has already begun. The administrative details will be very complicated, and a major battle is looming over just how much of the Commission staff would be moved to such an institution. END SUMMARY.

#### EEAS: A New Corps of Eurodipomats

[1](#)2. (SBU) One of the most widely touted innovations in the proposed EU Constitutional Treaty is the creation of a European External Action Service (EEAS) to assist a new EU Minister of Foreign Affairs (EUFM). While the fate of the Constitutional Treaty now looks bleak after its rejection by French and Dutch voters (Ref A), the idea of creating an EUFM and EEAS are among the most likely Constitutional proposals that the EU may try to implement as part of a minimal treaty revision exercise, or even absent any change to the EU's current treaties. In a press release issued after the French referendum, Solana said, "I still think it is suitable to keep on working on the establishment of an EEAS. This service will definitely come into existence sooner or later."

[1](#)3. (C) A Council source told us Commission and Council lawyers argue strongly that the EUFM position cannot be created without changes to the current EU treaties. But not all EU officials see this as the case. A Commission official involved in preparatory work on the EEAS speculated to us that the EUFM and EEAS could be done by unanimous Council decision, if the political will existed among Member States to do so. "This is Europe," she told us, "so where there is a will there is a way." It is unlikely this would occur immediately after declaring the Constitution dead, but it could be conceivable within the next few years. At present, however, Member States are divided over the value of pressing ahead in this area. There appears to be consensus, however, that there is little point in pursuing the EEAS unless there is an EUFM to report to. Pending a decision by EU governments to pursue the EUFM idea further, Council contacts told us that steps in this area would be confined to things such as beefing up Solana's staff in the Council Secretariat and perhaps posting some of the Council staff who report directly to Solana abroad to sit with the Commission delegations in some key capitals.

#### What Exactly Would They Do?

[1](#)4. (U) As for creation of an EEAS, the Constitution itself is very vague about what it would do. Article III-197(3) says only, "This service will work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and the Commission as well as

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staff seconded from national diplomatic services of the Member States. The organization and functioning of the EEAS shall be established by a European decision of the Council." The Commission and Council Secretariat have been working steadily since last fall developing a report to the Member States on what the EEAS could look like. High Rep Solana and Commission President Barroso plan to present the report to the June 16-17 EU Summit.

[1](#)5. (C) Council Secretariat and Commission officials have been working on this report since last fall. It has not been simple. One unanswered question is how much of the Commission's staff would join the EEAS. All agree the External Relations Directorate General (DG RELEX) would be part of the new service. Whether Commission staff within other parts of "the RELEX family" would join is uncertain.

(The RELEX family also covers the DGs of Development, Enlargement, Trade, Europe Aid Cooperation (AIDCO), and Humanitarian Aid (ECHO)). The betting is that Trade and Enlargement would remain outside the EEAS, but a major battle could erupt over DGs Development, AIDCO and ECHO. Development Commissioner Louis Michel insists these staffs must remain outside the EEAS, but others involved in the discussion point out that leaving 77 of the EU's foreign delegations outside of the new system would severely impair its effectiveness.

16. (SBU) Another key debate has been where the EEAS would reside institutionally. The Council Secretariat and most Member States have argued the EEAS must be a sui generis institution separate from the rest of the EU's personnel systems, as a reflection of its hybrid existence combining Commission and Council authorities, a unique role among EU bodies. The Commission has raised some doubts about this, as it is loath to see any of its current authorities, such as programming of EU assistance funds, migrate to a system that could be outside of direct control by the College of Commissioners. The European Parliament has been even more adamant, approving a resolution on May 26 supporting creation of the EEAS, but insisting it must be part of the Commission's structures, thereby giving the EP oversight of the service. (NOTE: The EP would also like to expand its powers over the EU's external representation by, for example, being given the right to vet or even confirm the ambassadors named to serve as the EU's Heads of Delegations abroad. Neither the Council nor the Commission are keen to give the EP such a role. END NOTE.)  
Consular Role Still Debated  
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17. (SBU) There is also some question about the scope of the EEAS's authorities abroad. All agree the EEAS would assume the duties currently exercised by EC delegations abroad, and also represent Solana and EU policies adopted under the EU's Common Foreign and Security Policy (CFSP). But some have suggested the EEAS foreign missions could also take on a consular role, particularly for EU countries without their own missions in a country. Smaller member states tend to favor this idea, as do some Commission officials who see this as an important public relations tool to convince the average European of the benefits of EU membership. Solana, however, is reported not to be eager to have the EEAS do such work. A Commission official speculated that this was because Solana did not want to be distracted from the "high politics" of CFSP, and saw consular responsibilities as a likely source of demands on the EEAS' time and of complaints about its functioning. Some bigger member states are also opposed, noting that they already pay to support global consular services, and therefore sharing out the costs of such an operation within the EEAS would be too complicated. Partisans of the consular role retort that it is precisely those member states who could close or consolidate their embassies once the EU could cover consular duties that could save the most money.

18. (C) COMMENT: In Ref B, we noted that creation of an EUFM, supported by an EEAS with EU diplomatic missions around the world, would provide the EU with a more authoritative voice for promoting the EU's CFSP, ESDP and other external policies globally. For most member states, this would be a clear gain and that is why the idea enjoys strong support within the Council, even if the details could still prove controversial. We suspect, however, that some member states -- particularly the British, but in some places others as well -- worry that having an EU ambassador in situ replacing the current divided role of Commission head of delegation and rotating Council Presidency ambassador could diminish their own ambassador's influence in a country. While all member states agreed to accept the proposals as part of the overall Constitutional package, the EUFM and EEAS proposals might not be able to muster the necessary political momentum in isolation to see them implemented. EU leaders will also be leery of accusations that such a step will somehow be a slap in the face to the democratically expressed views of the electorate. For these reasons, while we tend to agree with Solana that the EEAS will eventually come into existence, we think it will be more "later" than "sooner." END COMMENT.

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